

PTO Form 1957 (Rev 9/2005)

OMB No. 0651-0050 (Exp. 04/2009)

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	78738464
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 106
<b>MARK SECTION (no change)</b>	
<b>ARGUMENT(S)</b>	
<u>REQUEST FOR RECONSIDERATION</u>	
<p>In response to the Final Rejection dated November 8, 2006, the Examining Attorney stated that the goods description remains unacceptable as indefinite. Accordingly, Applicant herein amends the application to further clarify its description of goods. In light of the amendment, applicant believes the application is in condition for publication and requests reconsideration of the same. Applicant notes that it has concurrently filed a Notice of Appeal.</p> <p>If questions remain, the Examining Attorney is invited to contact applicant's counsel, Kevin S. Costanza, by email at KevinC.docketing@SeedIP.com or by telephone at (206) 622-4900.</p>	
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
INTERNATIONAL CLASS	010
DESCRIPTION	medical devices, namely, a full line of medical devices
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
INTERNATIONAL CLASS	010
DESCRIPTION	
<p>medical stents; ophthalmic implants comprised of artificial material; orthopedic implants comprised of artificial material; otolaryngology implants comprised of artificial material; plastic surgery implants comprised of artificial material; genitourinary implants comprised of artificial material; gastrointestinal implants comprised of artificial material; dural implants comprised of artificial material; neurological implants comprised of artificial material; medical shunts; neurological shunts; cardiovascular catheters; gastrointestinal catheters; genitourinary catheters; cardiovascular grafts; surgical adhesions barriers; cardiovascular infusion lines; cardiovascular ports; angioplasty balloons; vascular wraps; and dural patches; medical devices with echogenic surfaces produced by coatings that enhance diagnostic ultrasound imaging and ultrasound imaging in medical procedures; and medical</p>	

devices with echogenic surfaces produced by mechanical roughening of the surfaces that enhance diagnostic ultrasound imaging and ultrasound imaging in medical procedures; topical medical adhesive for binding wounds, skin and wound adhesives, cornea preservative media for medical and veterinary storage purposes; lubricant coating formulations for applying to medical devices for use with invasive and other medical procedures; polymer-containing liquids for coating medical devices for use with invasive and other medical procedures; lubricious coating applied to and sold as a part of medical devices for use with invasive and other medical procedures; hybrid hydrogel polymer coating layer applied to medical devices, into which drugs and bioactive agents can be incorporated for use with invasive and other medical procedures; hydrophilic polymer coatings for medical devices for use with invasive and other medical procedures; bioactive pharmaceutical preparation in the nature of a coating for application to medical devices; bioactive preparations, anti-thrombogenics, anti-infectives, antibiotics, anticancer drugs and other bioactive agents in a controlled release polymer coating for application to medical devices; liquid polymer coatings with bioactive properties for use on medical devices; liquid coatings and polymer pre-coatings for use on medical devices for bonding and sealing surfaces of these devices to provide anchorage for lubricant coating formulations, medicated coating formulations, drug-eluting bioresorbable coatings and compositions for delivering active agents to selected tissues; wound coatings; medical coating agents having drug-eluting and bioresorbing characteristics that help prevent unwanted growth of tissues; haemostatic flow valve, biopsy instrument, punctal occlusion products, cannulas, puncture needles, predilators, dilators, coaxial dilators, stents, vascular wraps, wires, guide wires, vascular grafts, catheters, blood vessel catheters, coronary angio-plastic catheters, catheters for interventional radiology, catheter sets, balloon catheters, hemodialysis catheters, central venous catheters, infusion catheters, retrieval baskets; introducer systems, consisting of catheter, guide wire, syringe and needle; ports; PICC or Peripherally Inserted Central Catheter lines; trans-lumbar sets consisting of catheter, guide wire, syringe and needle; connectors for connecting surgical and/or medical tubing, drainage bags for use in radiology, gastroenterology, urology and gynecology, spuds; surgical and ophthalmic blades, knives and scalpels, scalpel blades, scalpel and knife handles, ligature string, sutures and other wound fasteners, suture materials, suture needles, needled sutures, medical and surgical needles, surgical staples, clips, glues; surgical and suture needles, surgical knives, and sutures, all for use in cosmetic and aesthetic surgery; and, non-surgical, non-invasive dermatological materials for use to produce an aesthetic and reconstructive effect on the human skin and related body organs; bone wax, protectors and guards for needles and other sharps, replaceable elements for suture attaching equipment, foreign body retrieval apparatus, shunts, cloth cushion covers for rigid eye protectors for medical use, artificial limbs, eyes and teeth, orthopedic articles and implants, trocars, bone drills, fixation pins, drainage tubes and bags, predilators, dilators, coaxial dilators, screw dilators, invasive monitoring equipment in the nature of electrodes and transdermal ports, medical instruments for use in performing biopsies, biopsy needles, biopsy sample guns, bone marrow biopsy device, reusable handle biopsy gun, adjustable automated aspiration device for use in medical biopsies, punctum plugs, bone cement delivery instrument, cystotomes, retrobulbars, hypodermic syringes, hypodermic needles, cortex extractors, iris retractors, lens loops, capsulotomy kits and syringes, umbilical tape, I.V. [Intravenous] sets and collagen implants, non-invasive topical hemostasis pad, coating for medical bandages, dressings, and pads to speed hemostasis, breast biopsy site markers for use in medical procedures; surgical gels for skeletal, including bone and cartilage, applications; synthetic and non-synthetic resorbable liquids for purposes of hemostasis, preventing adhesions, surgical meshes for medical use; meshes having drug eluting and bioresorbing functions for use in treating the unwanted growth of tissues at surgical sites; and parts, accessories and supplementary products for all the aforementioned goods; and all of the aforementioned goods comprising lubricious polymer coatings, ultrasound imaging coatings, medicated coatings, coatings that create a contrast-enhancing layer for improved medical imaging

FILING BASIS

Section 1(b)

<b>SIGNATURE SECTION</b>	
RESPONSE SIGNATURE	/Kevin S. Costanza/
SIGNATORY'S NAME	Kevin S. Costanza
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	05/08/2007
AUTHORIZED SIGNATORY	YES
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Tue May 08 15:11:24 EDT 2007
TEAS STAMP	USPTO/ROA-64.38.133.114-2 0070508151124364667-78738 464-370965d14961e46c2b561 4fba23eb8a1e5-N/A-N/A-200 70508132822386871

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OMB No. 0651-0050 (Exp. 04/2009)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **78738464** has been amended as follows:

#### Argument(s)

In response to the substantive refusal(s), please note the following:

#### REQUEST FOR RECONSIDERATION

In response to the Final Rejection dated November 8, 2006, the Examining Attorney stated that the goods description remains unacceptable as indefinite. Accordingly, Applicant herein amends the application to further clarify its description of goods. In light of the amendment, applicant believes the application is in condition for publication and requests reconsideration of the same. Applicant notes that it has concurrently filed a Notice of Appeal.

If questions remain, the Examining Attorney is invited to contact applicant's counsel, Kevin S. Costanza, by email at KevinC.docketing@SeedIP.com or by telephone at (206) 622-4900.

#### Classification and Listing of Goods/Services

**Applicant hereby amends the following class of goods/services in the application as follows:**

Current: Class 010 for medical devices, namely, a full line of medical devices

Original Filing Basis: 1(b).

Proposed: Class 010 for medical stents; ophthalmic implants comprised of artificial material; orthopedic implants comprised of artificial material; otolaryngology implants comprised of artificial material; plastic surgery implants comprised of artificial material; genitourinary implants comprised of artificial material; gastrointestinal implants comprised of artificial material; dural implants comprised of artificial material; neurological implants comprised of artificial material; medical shunts; neurological shunts; cardiovascular catheters; gastrointestinal catheters; genitourinary catheters; cardiovascular grafts; surgical adhesions barriers; cardiovascular infusion lines; cardiovascular ports; angioplasty balloons; vascular wraps; and dural patches; medical devices with echogenic surfaces produced by coatings that enhance diagnostic ultrasound imaging and ultrasound imaging in medical procedures; and medical devices with echogenic surfaces produced by mechanical roughening of the surfaces that enhance diagnostic ultrasound imaging and ultrasound imaging in medical procedures; topical medical adhesive for binding wounds, skin and wound adhesives, cornea preservative media for medical and veterinary storage purposes; lubricant coating formulations for applying to medical devices for use with invasive and other medical procedures; polymer-containing liquids for coating medical devices for use with invasive and other medical procedures; lubricious coating applied to and sold as a part of medical devices for use with invasive and other medical procedures; hybrid hydrogel polymer coating layer applied to medical devices, into which drugs and bioactive agents can be incorporated for use with invasive and other medical procedures; hydrophilic polymer coatings for medical devices for use with invasive and other medical procedures, bioactive pharmaceutical preparation in the nature of a coating for application to medical devices; bioactive preparations, anti-thrombogenics, anti-infectives, antibiotics, anticancer drugs and other bioactive agents in a controlled release polymer coating for application to medical devices; liquid polymer coatings with bioactive properties for use on medical devices; liquid coatings and polymer pre-coatings for use on medical devices for bonding and sealing surfaces of these devices to provide anchorage for lubricant coating formulations, medicated coating formulations, drug-eluting bioresorbable coatings and compositions for delivering active agents to selected tissues; wound coatings; medical coating agents having drug-eluting and bioresorbing characteristics that help prevent unwanted growth of tissues; haemostatic flow valve, biopsy instrument, punctual occlusion products, cannulas, puncture needles, predilators, dilators, coaxial dilators, stents, vascular wraps, wires, guide wires, vascular grafts, catheters, blood vessel catheters, coronary angioplasty catheters, catheters for interventional radiology, catheter sets, balloon catheters, hemodialysis catheters, central venous catheters, infusion catheters, retrieval baskets; introducer systems, consisting of catheter, guide wire, syringe and needle; ports; PICC or Peripherally Inserted Central Catheter lines; trans-lumbar sets consisting of catheter, guide wire, syringe and needle; connectors for connecting surgical and/or medical tubing, drainage bags for use in radiology, gastroenterology, urology and gynecology, spuds; surgical and ophthalmic blades, knives and scalpels, scalpel blades, scalpel and knife handles, ligature string, sutures and other wound fasteners, suture materials, suture needles, needled sutures, medical and surgical needles, surgical staples, clips, glues; surgical and suture needles, surgical knives, and sutures, all for use in cosmetic and aesthetic surgery; and, non-surgical, non-invasive dermatological materials for use to produce an aesthetic and reconstructive effect on the human skin and related body organs; bone wax, protectors and guards for needles and other sharps, replaceable elements for suture attaching equipment, foreign body retrieval apparatus, shunts, cloth cushion covers for rigid eye protectors for medical use, artificial limbs, eyes and teeth, orthopedic articles and implants, trocars, bone drills, fixation pins, drainage tubes and bags, predilators, dilators, coaxial dilators, screw dilators, invasive monitoring equipment in the nature of electrodes and transdermal ports, medical instruments for use in performing biopsies, biopsy needles, biopsy sample guns, bone marrow biopsy device, reusable handle biopsy gun, adjustable automated aspiration device for use in medical biopsies, punctum plugs, bone cement delivery instrument, cystotomes, retrobulbars, hypodermic syringes, hypodermic needles, cortex extractors, iris retractors, lens loops, capsulotomy kits and syringes, umbilical tape, I.V. [Intravenous] sets and collagen implants, non-invasive topical hemostasis pad, coating for medical bandages, dressings, and pads to speed hemostasis, breast biopsy site markers for use in medical procedures; surgical gels for skeletal, including bone and cartilage, applications; synthetic and non-

synthetic resorbable liquids for purposes of hemostasis, preventing adhesions, surgical meshes for medical use; meshes having drug eluting and bioresorbing functions for use in treating the unwanted growth of tissues at surgical sites; and parts, accessories and supplementary products for all the aforementioned goods; and all of the aforementioned goods comprising lubricious polymer coatings, ultrasound imaging coatings, medicated coatings, coatings that create a contrast-enhancing layer for improved medical imaging

Filing Basis: 1(b).

**Response Signature**

Signature: /Kevin S. Costanza/ Date: 05/08/2007

Signatory's Name: Kevin S. Costanza

Signatory's Position: Attorney for Applicant

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 78738464

Internet Transmission Date: Tue May 08 15:11:24 EDT 2007

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